

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**STEVEN J. RUBENSTEIN, *pro se***

**PLAINTIFF**

**v.**

**CASE NO. 3:18-CV-00170 DPM**

**AMERICAN ACADEMY OF ACTUARIES  
and SOCIETY OF ACTUARIES**

**DEFENDANTS**

**DEFENDANT THE SOCIETY OF ACTUARIES'S  
MOTION TO ADOPT BY REFERENCE**

Pursuant to Federal Rule of Civil Procedure 10(c), defendant the Society of Actuaries (“the Society”) adopts by reference defendant the American Academy of Actuaries’s (“the Academy”) motion for summary judgment (Doc. No. 24), brief in support (Doc. No. 25), and statement of facts (Doc. No. 26), insofar as they pertain to the Academy’s arguments that the plaintiff has failed to state a claim and that the plaintiff has failed to participate in discovery.

The arguments made by the Academy in its motion for summary judgment regarding failure to establish a claim for defamation and failure to participate in discovery (sections “1” and “2” of the Academy’s brief in support) apply equally to the Society. As such, the case against the Society also should be dismissed as a matter of law. Because all relevant authorities are cited in the briefing which was adopted herein, the Society is not submitting a separate memorandum brief in support of this motion.

WHEREFORE, defendant the Society of Actuaries prays that its motion to adopt be granted, that summary judgment be entered in favor of the Society of Actuaries dismissing the plaintiff's complaint with prejudice, and for all other relief to which it is entitled.

WRIGHT, LINDSEY & JENNINGS LLP  
200 West Capitol Avenue, Suite 2300  
Little Rock, AR 72201-3699  
(501) 371-0808  
FAX: (501) 376-9442  
Email: [grather@wlj.com](mailto:grather@wlj.com)  
[jkoehler@wlj.com](mailto:jkoehler@wlj.com)

By: /s/ Gordon S. Rather, Jr. \_\_\_\_\_  
Gordon S. Rather, Jr. (68054)  
Jessica Pruitt Koehler (2015226)

*Attorneys for Defendant  
Society of Actuaries*

CERTIFICATE OF SERVICE

On July 24, 2019, a copy of the foregoing was served by email and U.S. mail  
on the following:

1. Mr. Steven J. Rubenstein  
502 River Street  
Chattanooga, TN 37405  
*sjrubenstein@me.com*

*Pro se Plaintiff*

2. Mr. Richard Glassman  
Ms. Laurant G. Stimac  
Glassman, Wyatt, Tuttle & Cox, P.C.  
26 North Second Street  
Memphis, TN 38103  
*rglassman@gwtclaw.com*  
*lstimac@gwtclaw.com*

*Attorneys for Defendant Academy*

/s/ Gordon S. Rather, Jr.  
Gordon S. Rather, Jr.